

VZCZCXRO5232
PP RUEHCHI RUEHDT RUEHHM
DE RUEHPF #0657/01 0970349
ZNR UUUUU ZZH
P 070349Z APR 06
FM AMEMBASSY PHNOM PENH
TO RUEHC/SECSTATE WASHDC PRIORITY 6414
INFO RUEHXS/ASEAN COLLECTIVE
RHHMUNA/HQ USPACOM
RUEHGV/USMISSION GENEVA 1377

UNCLAS SECTION 01 OF 02 PHNOM PENH 000657

SIPDIS

SIPDIS

FOR G/TIP, EAP/MLS and EAP/RSP

E.O. 12958: N/A

TAGS: [PHUM](#) [PREL](#) [KWMN](#) [CB](#)

SUBJECT: CAMBODIAN GOVERNMENT HIGHLIGHTS TIP AT
NATIONAL CONFERENCES

11. Summary: On March 15, the Ministry of Interior (MOI) organized the fifth annual national seminar on law enforcement against sexual abuse, exploitation and trafficking of women and children. The issue of human trafficking was the lead seminar topic at the Ministry of Justice's April 5 conference on 2005 achievements and 2006 goals. Both government-sponsored events highlight the strong, high-level commitment and recognition of the need to combat trafficking in persons. End Summary.

Fifth Annual Anti-TIP Conference

12. Governors, provincial police commissioners, anti-trafficking police from provinces throughout the country, representatives of all Ministries concerned, and a number of local and international NGOs participated in the MOI's half-day seminar, which is the fifth annual seminar since the creation of the Anti-Human Trafficking and Juvenile Protection (AHTJP) Department under the LEASEC project. Donors, including the U.S., were also in attendance.

13. In his opening speech, Minister of Interior Sar Kheng pledged to continue the effort to improve the safety of Cambodian women and children and combat trafficking. He encouraged all the Ministries and NGOs involved in the protection of women and children to continue working together, and thanked the donors and NGO community for their support in the field of prevention and law enforcement of crimes against children. He listed the passage of the 1996 trafficking law, the creation of the five-year national plan of action in 2000, and the MOI's action plan in July 2005 as illustrations of the RGC's effort and commitment to fighting trafficking crimes. He also recommitted himself to following up on the passage of the draft anti-trafficking bill.

14. MOI Secretary of State Prum Sokha provided a presentation about the LEASEC project and its achievements over the past five years. The LEASEC project, started in 2000 by the International Organization for Migration (IOM), World Vision and UNICEF, created the AHTJP Department in 2002 and hotlines for reporting of cases against women and children. He outlined the MOI plan to expand from seven anti-TIP units to 17. He urged the government to focus on three priorities: no minors in prostitution, protection of women against being forced or lured into sexual service against will, and stricter law enforcement.

15. The speech delivered on behalf of General Hok Lundy of the National Police showcased the influence of the LEASEC project on police work. Statistics between 2001 and 2005 indicate a sharp increase in the number of cases reported and investigated, the number of perpetrators arrested, and

the number of victims rescued. Human trafficking cases have increased from 28 in 2001 to 123 in 2005. The police maintain that the increase reflects enhanced understanding of the trafficking problem through training and awareness raising programs, better reporting mechanisms, and good cooperation between the public and law enforcement agencies.

¶16. Un Sokunthea, Director of the AHTJP Department, explained that her Department receives information from three sources -- local police, NGOs and the hotlines -- and the Department in turn provides that information to concerned provinces and municipalities for action. She also spoke about anti-TIP training programs for police officers, and the Department's education program to teach school students about the dangers of trafficking and how to avoid becoming a victim.

NGO-Police Cooperation

¶17. Keo Thea, Deputy Chief of the Phnom Penh Anti-Trafficking and Juvenile Protection Unit, and a representative from Action Pour Les Enfants (APLE) reported on their cooperation and experience in working to arrest foreign pedophiles. Keo Thea noticed a decrease of crimes against children, as evidenced in his unit's arrest of three foreign pedophiles in 2005, compared to 11 in 2004. APLE commented on their good cooperation with police, but expressed concerns over delays in arresting perpetrators and rescuing of victims.

¶18. A police officer from Banteay Meanchey province explained that NGOs and the police should work more closely, rather than at odds with one another. As an example, he cited the case of a 15 year-old girl who had been raped by

PHNOM PENH 00000657 002 OF 002

an unidentified Thai soldier. Police engaged the Thai authorities and urged civil compensation for the victim, hoping that the financial pressure would compel the Thai authorities to identify the rapist and take legal action. An unidentified NGO disagreed, maintaining that rape was a criminal offense that could not be resolved through civil compensation. They protested and took the case directly to the Thai authorities. Given the competing requests, the Thai authorities did nothing. In the end, the victim did not get compensation, and the rapist was never identified nor arrested.

¶19. The question and answer session offered an open dialogue for the NGOs and involved agencies to voice their opinions and problems concerned. Mam Somaly, President of Agir Pour Les Femmes En Situation Prcaire (AFESIP,) praised cooperation with police but complained about difficulties of working with the courts. In response, a representative from the Appeals Court commented that they need strong evidence from the police to charge the perpetrators. He also acknowledged that there are legal loopholes that may allow the perpetrators to escape justice.

Ministry of Justice Features TIP

¶10. The issue of human trafficking was featured strongly at the Ministry of Justice's April 5 conference on 2005 achievements and 2006 goals. MOJ Secretaries of State Kassie Neou and Ith Rady stressed the need to make available statistics related to trafficking cases. Kassie Neou encouraged all court presidents and prosecutors to provide regular and accurate reports on trafficking court cases. In addition, he told the conference that the MOJ, in cooperation with ARCPPT (Asia Regional Cooperation to Prevent People Trafficking), plans to distribute computers to each province and municipality for recording cases. The MOJ is also in the process of developing a court case database, with the help of ARCPPT.

¶11. The idea of appointing a special judge and prosecutor for trafficking cases is now moving forward in the MOJ. Kassie Neou requested all court presidents to appoint two judges and two prosecutors from each court to attend a training course to be provided by ARCPPT. This course will include sensitizing judges and prosecutors on trafficking issues and evidence collection. These judges and prosecutors will then be responsible for all trafficking cases entering the courts.

¶12. Judicial officials criticized police for registering sex workers, saying prostitution is prohibited by the constitution. Registering them is not acceptable because it runs counter to the constitution and would imply that prostitution is legal. They also raised the problem of identifying trafficking cases, saying that NGOs often confuse trafficking and human smuggling with voluntary migration for begging or labor purposes.

¶13. The newly drafted trafficking bill is still under review at the MOJ, and MOJ officials anticipate the National Assembly will pass it before the end of 2006. Reconciling the draft bill with the UN Protocol is still the problem, but He Saphea, MOJ Secretary of State, said he would review the law to make sure that it covers every aspect of the crimes included in the UN protocol.

¶14. Comment. Cambodia's Ministries of Interior and Justice have tough work ahead of them in combating trafficking in persons, but officials in both ministries are working the issue and giving it a high priority in a country with many competing agenda items in the security and justice sectors. We also note that the MOI included NGOs as partners in the March 15 event. While cooperation is not perfect, at least both sides are talking and trying to smooth out their differences. End Comment.

MUSSOMELI